

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

AGENDA FOR SPECIAL CITY COUNCIL MEETING

December 11, 2006
10th Floor Conference Room, City Hall
4:00 p.m.

AGENDA: Question and answer session with staff on the items listed on the Agenda posted for the Regular City Council Meeting of Tuesday, December 12, 2006. No deliberations among the Council members will be held and no action will be taken during this meeting on the items posted on the Agenda.

AGENDA FOR REGULAR CITY COUNCIL MEETING

December 12, 2006
Council Chambers, City Hall
9:00 a.m.

After the meeting is convened, the City Council shall consider the following items in the following order no sooner than the designated times, but may consider them at a later time.

9:00 a.m.: Roll call and Executive Session*
9:00 a.m.: Invocation and Pledge of Allegiance
9:00 a.m.: Ceremonial items followed by all other items posted on the Agenda

*At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

Invocation – Fire Chaplain Ed Sinke
Pledge of Allegiance

MAYOR'S PROCLAMATION

SENIOR ALL-STAR FOOTBALL CLASSIC WEEK

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

CONSENT AGENDA

1. **APPROVAL OF MINUTES:** [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for Regular City Council Meeting of December 5, 2006, and the Special City Council Meeting of December 4, 2006 (Agenda Review).

2. **REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

3. **RESOLUTION(S):**

3A. That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and Juliet Lozano to employ Juliet Lozano as a Municipal Communications/Public Affairs Manager at a biweekly rate of \$2,355.53. The term of the contract shall be for the period of December 28, 2006, through December 27, 2007. **(All Districts)** [City Manager, Joyce A. Wilson, (915) 541-4844]

3B. That the City Manager be authorized to sign an Approval of Assignment of the Tax Abatement Agreement by and between the City of El Paso, Railroad Drive, L.P. ("Assignor"), and Verde 9900 Railroad Drive, L.P. ("Assignee") for the property described as Reinvestment Zone "V" in Ordinance No. 013463 adopted by the City Council of the City of El Paso on January 6, 1998. **(All Districts)** [Economic Development, Lucille Ponticelli, (915) 541-4679]

3C. That the Solid Waste liens on the attachment posted with this agenda be approved. **(Districts 2, 3, 4, & 6)**
[Environmental Services, Ellen A. Smyth, (915) 621-6719]
(See attachment A)

- 3D.** That the City Manager be authorized to sign an Employment Agreement between the City of El Paso and David R. Kelley to employ David R. Kelley as a Database Administrator for the Information Technology Department at a biweekly rate of \$2,100.79. The term of the contract shall be for the period of December 19, 2006 through December 18, 2007. **(All Districts)**
[Information Technology, Gerald Gordier, (915) 541-4288]

4. BEST VALUE PROCUREMENT:

The award of Solicitation No. 2006-197, Security Guard Services El Paso Landfills and Transfer Station to Whelan Security Co., Inc. for a total estimated award of \$391,799.52.

Department:	Environmental Services
Award to:	Whelan Security Co., Inc. El Paso, Texas
Item(s):	1 – 4
Annual Estimated Amount:	\$130,599.84
Account No.:	34010296-40403-502212
Funding Source:	Environmental Services, Security Contracts
Total Estimated Award:	\$391,799.52
District(s):	4 and 8

This is a thirty-six month contract.

The Departments of Financial Services and Environmental Services recommend award to the bidder offering the best value bid.

[Financial Services, Terrence Freiburg, (915) 541-4313]

5. REQUEST FOR PROPOSAL:

The award of Solicitation No. 2007-036R, El Paso Police Department Facilities Strategic Plan – 2030, to Magellan Research Corporation for a total award not to exceed \$109,100.00.

Department:	Police
Award to:	Magellan Research Corporation Shady Shores, TX
Item(s):	All
Account No.:	31135001-27114-508016 Project PPD05001
Funding Source:	98A Certificate of Obligation
Total Award:	\$109,100.00 (not to exceed)
District(s):	All

The Departments of Financial Services and Police recommend award to the bidder indicated.

Furthermore, it is requested that staff be authorized to negotiate, the City Attorney's Office to review, and the City Manager execute any additional documents and agreements as necessary.

[Financial Services, Terrence Freiburg, (915) 541-4313]

6. BID(S):

- 6A.** The award of Solicitation No. 2007-006, Micro & Macro IV Sets, to Quadmed Inc. and Bound Tree Medical, LLC for a total estimated award of \$58,000.00.

Department:	Fire
Award to:	Vendor 1: Quadmed Inc. Jacksonville, FL
Item(s):	1
Amount:	\$22,000.00
Award to:	Vendor 2: Bound Tree Medical, LLC Dublin, OH
Item(s):	2
Option:	Vendor 2 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional year(s) if the option is exercised within two (2) years from the date of the award.
Amount:	\$7,000.00
Annual Estimated Amount:	\$29,000.00
Account No.:	22010319-503112-01101
Funding Source:	Fire Department Fiscal Operating Budget/Clinical, Medical Supplies
Total Estimated Award:	\$58,000.00
District (s):	All

This is a requirements type contract with an initial term of twenty four (24) months.

The Departments of Financial Services and Fire recommend awards as indicated to the lowest responsive, responsible bidders.

[Financial Services, Terrence Freiburg, (915) 541-4313]

- 6B.** The award of Solicitation No. 2007-009, Audible Pedestrian Signals, to Consolidated Traffic Controls, Inc. for a total estimated award of \$68,452.00.

Department:	Community Development
Award to:	Consolidated Traffic Controls, Inc. Arlington, Texas
Item(s):	1, 2, and 3
Account No.:	71150069-508009-07868-G7132CD0022
Funding Source:	Furniture and Fixtures-Audible Pedestrian Signals
Annual Estimated Amount:	\$34,226.00
District(s):	All

Total Estimated Award: \$68,452.00

This is a requirements type contract with an initial term of twenty four (24) months.

The Departments of Financial Services and Community Development recommend award as indicated to the lowest responsive, responsible bidder.
[Financial Services, Terrence Freiburg, (915) 541-4313]

- 6C.** The award of Solicitation No. 2007-034, Advertising & Marketing Services for Environmental Services, El Paso Recycling Program to AGI Marketing for a total estimated award of \$112,500.00.

Department:	Environmental Services
Award to:	AGI Marketing
	El Paso, TX
Item(s):	All
Option:	Bidder offers the City the option of extending the term of the contract, at the same unit price three additional years.
Annual Estimated Amount:	\$37,500.00
Account No.:	34010289-40403-502116
Funding Source:	Solid Waste Management, Promotional Services
Estimated Total Award:	\$112,500.00
District(s):	All

It is requested authorization for City Attorney's Office to review, and the City Manager of the City of El Paso be authorized to sign any contracts or documents required to effectuate this award.

This is a thirty-six (36) month contract.

Financial Services, Purchasing Division and Environmental Services recommend award to the bidder indicated.
[Financial Services, Terrence Freiburg, (915) 541-4313]

7. DEVELOPMENT AND INFRASTRUCTURE SERVICES:

Council Ratification of the Storm 2006 professional services contract listed on the attachment posted with this agenda. Such contracts were entered into by the City Manager under the authority granted by Council in the September 19, 2006 Resolution. (Attachment B). [Development and Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

REGULAR AGENDA - INTRODUCTIONS

8. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

**Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.**

- 8A.** An Ordinance granting a Special Privilege to the El Paso Festival Association and the El Paso Empowerment Zone to temporarily close a portion of Anthony Street from San Antonio Avenue to San Francisco Avenue; Western Court from Anthony Street to Durango Street; Durango Street from San Antonio Avenue to San Francisco Avenue; and the alley between Durango Street and Anthony

Avenue from December 30, 2006, through January 1, 2007, for a "New Year's Street Festival." (Fee: \$225.00, SPL06-00022) **(District 8)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 8B.** An Ordinance amending Title 19 (Subdivisions) of the El Paso City Code by amending Chapter 19.12 (Parkland Dedication), Section 19.12.010 (Policy Plan and Purpose) to reference the current El Paso Parks and Recreation Master Plan; Section 19.12.085 (Parkland Credits) to reference expanded park zones approved by resolution; Section 19.12.100 (Fee in Lieu of Parkland Dedication) to authorize the reprogramming of outstanding park fees to expanded park zones; and Section 19.12.110 (Parkland Fees Special Fund) to set forth certain parameters of expenditures of sums paid in lieu of parkland dedication. The penalty being as provided in Section 19.04.190 of the El Paso City Code. **(All Districts)** [Development and Infrastructure Services, Patricia D. Adauto, (915) 541-4853]
- 8C.** An Ordinance repealing Ordinance Number 015987 which created the Workforce Retraining Advisory Committee and provided for membership and terms, officers, rules and regulations, administration, and duties of the Board. **(All Districts)** [City Attorney's Office, Sylvia Firth, (915) 541-4550]

PUBLIC HEARING WILL BE HELD ON DECEMBER 27, 2006, FOR ITEMS 8A – 8C

- 8D.** An Ordinance changing the zoning of Parcel 1: a portion of Tract 1A3, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-2 (Commercial); and Parcel 2: a portion of Tract 1A, Section 38, Block 79, Township 2, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, from R-3 (Residential) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Zaragoza Road & Edgemere Blvd. Applicant: Camino Real Properties I, Limited. ZON06-00122 **(District 5)**
[Development Services/Planning, Stephen Schlett, (915) 541-4935]

PUBLIC HEARING WILL BE HELD ON JANUARY 3, 2007, FOR ITEM 8D

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9:00 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8:00 a.m. to 5:00 p.m.

REGULAR AGENDA – PUBLIC HEARINGS

9. PUBLIC HEARING(S) – DEVELOPMENT SERVICES

- 9A.** An Ordinance changing the zoning of the east one half of lots 16-20, both inclusive, block 214, Alexander Addition, an Addition to the City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Robinson and West of Kansas. Applicant: Romelia Beard. ZON06-00124 **(District 1)** [Development Services, Arlan Greer, (915) 541-4723]

- 9B.** An Ordinance granting Special Permit No. ZON06-00110 to allow for a Planned Residential Development with private streets on a portion of Tract 1A, and all of Tract 1B, S.J. Larkin Survey No. 265, and a portion of H.G. Foster Survey No. 262, City of El Paso, El Paso County, Texas, pursuant to Sections 20.12.040 and 20.22.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: South of Bear Ridge Drive, East of Redd Road. Applicant: Acro Developers I, LTD. ZON06-00110. **(District 1)**
[Development Services/Planning, Esther Guerrero, (915) 541-4720]

- 9C.** An Ordinance vacating all of the 20-foot wide alley within Block 54, Kern Place Addition, City of El Paso, El Paso County, Texas. Subject Property: West of Stanton between Althea Park and Kern. Applicant: El Paso Independent School District. AV06005. **(District 1)**
[Development Services/Planning, James Fisk, (915) 541-4638]
POSTPONED FROM 11-14-06 AND 11-28-06

10. PUBLIC HEARING(S) – COMMUNITY AND HUMAN DEVELOPMENT:

An Ordinance amending Title 2 (Administration and Personnel) of the El Paso City Code by amending Chapter 2.102 (Neighborhood Association Recognition) in its entirety.
(All Districts) [Community and Human Development, William Lilly, (915) 541-4500]
POSTPONED FROM 11-28-06

REGULAR AGENDA – OTHER BUSINESS

11. MAYOR AND COUNCIL:

- 11A.** Discussion and action on City sponsorship of the El Paso Marathon.
[Representative Beto O'Rourke, (915) 541-4268]
- 11B.** Discussion and action on proposals to increase the tax exemption for elderly and disabled or provide a general homestead exemption for residential taxpayers effective January 1, 2008. **(All Districts)**
[Representative Steve Ortega, (915) 541-4124]
[Office of Management and Budget, David Almonte, (915) 541-4011]
POSTPONED FROM 12-05-06
- 11C.** Discussion and action to direct the City Manager to provide a written/oral presentation at the next regular City Council meeting on the cumulative and total anticipated costs associated with the proposed Downtown Redevelopment Plan and to identify those either direct and/or indirect costs that would be the responsibility of the City of El Paso, and additionally, what would be the funding mechanisms, direct and indirect, that would be utilized to allow the citizen taxpayers of the City of El Paso to participate in this initiative.
[Representative Melina Castro, (915) 541-4400]
- 11D.** Discussion and action to direct the City Manager to provide a written/oral presentation at the next regular City Council meeting on the projected costs associated with the proposed "Downtown Arena", and an accurate breakdown of the private vs. public participation in this project, and to identify the funding source/s, if any, that would be utilized by the City of El Paso to facilitate completion of this project. [Representative Melina Castro, (915) 541-4400]

12. CITY MANAGER:

12A. Appointment of Dr. Robert Galvan as Interim Director of the City/County Health District effective January 2, 2007, for a six-month period with an option to renew for an additional six months upon mutual consent. **(All Districts)**
[City Manager, Joyce A. Wilson, (915) 541-4844]

12B. City Manager's report of current events and issues:

Discussion and action on issues related to Storm 2006.
[Development Services, R. Alan Shubert, (915) 541-4557]

13. FINANCIAL SERVICES - BIDS:

Discussion and action on the award of Solicitation No. 2006-189 for Montoya Heights Drainage Improvements, Phase I to J & J General Contracting, Inc. of El Paso, Texas for a total estimated amount of \$1,623,919.54.

Department:	Street
Award to:	J & J General Contracting, Inc. El Paso, Texas
Items:	Base Bid I: \$1,499,755.92 Base Bid II: \$124,163.62
Total Estimated Award:	\$1,623,919.54
Account No:	14200403-PBE04ST117-29132-508027 31255008-PBE04ST117-27695-508027
Funding Source:	2004 Bond Issue & PSB Funds
District(s):	1

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract will be the sum total of unit prices at the end of the contract term.

As part of the award of this contract, the City Engineer may, without further authorization from City Council, approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, which are in accordance with applicable law and which do not make changes to the unit price and which are within the appropriate budget.

This is a low bid, unit-price contract. The Financial Services and Streets Departments recommend award as indicated to the lowest responsive, responsible bidder.
[Engineering Department, Rick Conner, (915) 541-4423]

14. MUSEUMS AND CULTURAL AFFAIRS:

Discussion and action on a Resolution that the Year 2007 Public Art Plan for the City of El Paso, Texas, be officially adopted, as is on file with the Office of the City Clerk, and incorporated herein for all intents and purposes. **(All Districts)**
[Museums and Cultural Affairs, Yolanda Alameda, (915) 541-4896]
POSTPONED FROM 11-14-06 AND 11-28-06

EXECUTIVE SESSION

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

NOTICE TO THE PUBLIC:

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

ALL CITY COUNCIL AGENDAS ARE PLACED ON THE INTERNET EVERY FRIDAY AT THE ADDRESS BELOW:

<http://www.elpasotexas.gov/>